

Appln No. 09/846,738

Amdt date April 30, 2004

Reply to Office action of December 31, 2003

REMARKS/ARGUMENTS

Claims 1-3, 5-12, 15-17, 19-27 and 29-40 now remain pending in this application. Applicant has hereinabove cancelled claims 13, 14 and 28, amended claims 1, 15 and 31, and added new claims 32-40. The amendments and new claims find full support in the original specification, claims and drawings. No new matter is presented. In view of the above amendments and following remarks, Applicant respectfully submits that all pending claims in their present form are allowable. Accordingly, Applicant respectfully requests favorable reconsideration and a timely indication of allowance.

In the Office action dated December 31, 2003, the Examiner rejected claims 1-31¹ under 35 U.S.C. § 103(a) as allegedly unpatentable over U.S. Patent No. 5,906,590 to Hunjan et al., in view of U.S. Patent Nos. 4,686,963, 5,199,950 and 5,507,725 to Cohen et al., Schmitt et al. and Savage et al., respectively. The Examiner relies on Hunjan to disclose "a steerable catheter assembly including a catheter, a tip section, a control handle and [a] puller wire control system." Office Action, page 2. However, the Examiner admits that Hunjan fails to disclose "a tip section including a core and an outer layer covering the core." Office Action, page 2. The Examiner relies on Savage to remedy this deficiency.

Applicant has amended claims 1, 15 and 31 to recite an off-axis lumen extending through the core in the tip section. None of Hunjan, Schmitt, Cohen or Savage teach or suggest such a

¹Applicant notes that claims 4 and 18 had already been cancelled by Applicant's amendment of July 24, 2003.

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configuration. Specifically, Savage appears to disclose a catheter wall having an "interior surface . . . defin[ing] a substantially straight central lumen." Column 7, lines 3-6. Therefore, Savage fails to teach or suggest the at least one off-axis lumen extending the core as recited in amended claims 1, 15 and 31.

In addition, Applicant has amended claim 1 to recite the one or more stabilizing features as positioned in the outer layer of the tip section. None of Hunjan, Schmitt, Cohen or Savage teach or suggest such a configuration. Therefore, claim 1, as amended, is allowable over Hunjan in view of Schmitt, Cohen and Savage. Likewise, claims 2, 3, 5-13, 15-17 and 19-30 which depend from claim 1 are now allowable on that basis.

With respect to independent claim 31, it now recites one or more stabilizing features as also extending from or through the longitudinal axis. None of the cited references disclose or suggest such a configuration. In particular, Schmitt in Fig. 8a discloses only strips 43 that are notably absent at the longitudinal axis of the core, much less extending from or through it. Accordingly, Applicant submits that claim 31 and new dependent claims 32-34 are allowable.

With respect to new independent claim 35, it recites one or more stabilizing features extending in one dimension along at least a portion of the length of the tip section and having a portion extending in another dimension between the two off axis lumens. Again, none of the cited references disclose or suggest such a configuration. In particular, Schmitt in Fig. 8a discloses strip 43 that have no portion extending between the

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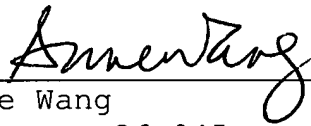
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conduits 36. Accordingly, new claim 35 and new dependent claims 35-40 are allowable.

In light of the above amendments and remarks, Applicant respectfully submits that all of pending claims 1-3, 5-12, 15-17, 19-27, 29-40 are in condition for allowance. Accordingly, Applicant respectfully requests a timely indication of allowance. Should there be any further questions that can be addressed by telephone, Applicant invites the Examiner to contact the undersigned at the number indicated below.

Respectfully submitted,

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